

RENTON CITY COUNCIL
Regular Meeting

September 9, 2002
Monday, 7:30 p.m.

Council Chambers
Renton City Hall

MINUTES

CALL TO ORDER

Mayor Jesse Tanner led the Pledge of Allegiance to the flag and called the meeting of the Renton City Council to order.

**ROLL CALL OF
COUNCILMEMBERS**

TONI NELSON, Council President; DAN CLAWSON; KATHY KEOLKER-WHEELER; TERRI BRIERE; KING PARKER; RANDY CORMAN. MOVED BY NELSON, SECONDED BY CORMAN, COUNCIL EXCUSE ABSENT COUNCILMAN DON PERSSON. CARRIED.

**CITY STAFF IN
ATTENDANCE**

JESSE TANNER, Mayor; JAY COVINGTON, Chief Administrative Officer; ZANETTA FONTES, Assistant City Attorney; BONNIE WALTON, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; JIM SHEPHERD, Community Services Administrator; DEREK TODD, Assistant to the CAO; ACTING COMMANDER TIM TROXEL, Police Department.

PROCLAMATIONS

Day of Concern for the
Hungry – September 28, 2002

A proclamation by Mayor Tanner was read declaring the day of September 28, 2002, to be "Day of Concern for the Hungry" in the City of Renton, and urging all citizens to join with the Emergency Feeding Program to feed those who are hungry. MOVED BY CLAWSON, SECONDED BY NELSON, COUNCIL CONCUR IN THE PROCLAMATION AS READ. CARRIED.

Catherine Hillard accepted the proclamation on behalf of the Emergency Feeding Program and thanked the City for its continued support.

Citizen Comment: Nelson –
Day of Concern for the
Hungry, September 28, 2002

A letter was read from Council President Nelson addressed to the Mayor and Councilmembers stating that the Mayor's Day of Concern will help the Emergency Feeding Program and the Renton Salvation Army Food Bank, the two primary providers of food for the hungry in Renton. Ms. Nelson encouraged the Mayor and Councilmembers to volunteer their time on September 28th to assist with the food drive, or to make a donation.

Added

A Day of Remembrance –
September 11, 2002

A proclamation by Mayor Tanner was read declaring the day of September 11, 2002, to be "A Day of Remembrance" in the City of Renton, which is a day to mourn, reflect, and rededicate ourselves to ending terrorism in commemoration of the anniversary of the terrorist attacks. Citizens are urged to honor the memory of all those who died, by being of service to one another and by building the "stronger, more perfect union" envisioned by our founding fathers. MOVED BY KEOLKER-WHEELER, SECONDED BY CORMAN, COUNCIL CONCUR IN THE PROCLAMATION AS READ. CARRIED.

Community Services: Renton
Composite Squadron Civil Air
Patrol National Competition

Mayor Tanner introduced Lieutenant-Colonel Kenneth L. Miller, Renton Composite Squadron Civil Air Patrol Commanding Officer who presented the Mayor and Council with a Certificate of Appreciation for their support of the Renton Squadron's trip to the Air Force Academy for a national competition. Displaying the trophy awarded to the Renton Squadron, he reported that they placed second nationally in the color guard competition.

**ADMINISTRATIVE
REPORT**

Derek Todd, Assistant to the Chief Administrative Officer, reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 2002 and beyond. Items noted included:

- ✱ Sound Transit and the City of Renton have negotiated and signed an agreement under which the City will provide an easement on a small strip of vacant land to Sound Transit for \$30,000. The settlement agreement includes commitments by Sound Transit to work with Renton toward completing transit-related projects in the Renton area, including the N. 8th St. Direct Access Ramp and HOV improvements to key arterial corridors such as Rainier Ave. and the Strander Blvd./SW 27th St. corridor. As a show of good faith toward approving the settlement agreement, the City gave Sound Transit immediate access to the land, enabling crews to begin working on improvements immediately. Approval of the agreement formally ends Sound Transit's condemnation action against the City.
- ✱ The Fall Recreation Guide entitled *What's Happening* is now available at the Community Center and Renton Libraries.
- ✱ Growers representing the Yakima Valley and other Central Washington farming areas will bring their fresh fruit and vegetables to Renton for a harvest sale on Saturdays through September 28th from 9:00 a.m. to 4:00 p.m. at the Piazza, Renton's downtown park.

AUDIENCE COMMENT

Citizen Comment: DeMastus – Highlands Community Association, Duwamish Tribe Support

Sandel DeMastus, 1137 Harrington Ave. NE, Renton, 98056, thanked Councilmembers for attending the Highlands Community Association neighborhood picnic, and reported that the neighborhood signs will soon be erected. On another subject, Ms. DeMastus reported that she attended the 150th anniversary of Chief Seattle's landing in Seattle with the Duwamish Tribe. She noted that the Duwamish Tribe is raising funds for a longhouse and cultural center, and asked the City to contribute towards this effort.

CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing. At the request of Councilmembers, items 6.h., 6.i., 6.j., 6.o., and 6.p. were removed for separate consideration.

Council Meeting Minutes of August 19, 2002

Approval of Council meeting minutes of August 19, 2002. Council concur.

Appointment: Park Board

Mayor Tanner reappointed Cynthia Burns, 2007 NE 12th St., Renton, 98056, and Michael G. O'Donin, 423 Pelly Ave. N., Renton, 98055, each to the Park Board for a four-year term expiring 10/01/2006. Council concur.

Appointment: Planning Commission

Mayor Tanner appointed Jerrilynn Hadley, 1425 Lincoln Ave. NE, Renton, 98056, to the Planning Commission to fill the unexpired term of Beverly Franklin, who has resigned (term to expire 1/31/2004). Refer to Community Services Committee.

Appeal: St. Anthony Catholic Church Conditional Use Permit, Wade Cross (CU-02-054)

City Clerk reported appeal of Hearing Examiner's decision approving the St. Anthony's Catholic Church renovation and addition Conditional Use Permit at 314 S. 4th St. (CU-02-054); appeal filed by Wade D. Cross on 8/20/2002, accompanied by required fee. Refer to Planning & Development Committee. (See page 343 for related correspondence.)

CAG: 02-119, Gene Coulon Park Play Area Improvements, Clements Brothers

City Clerk reported bid opening on 8/13/2002 for CAG-02-119, Gene Coulon Memorial Beach Park Play Area Improvements; six bids; engineer's estimate \$144,000; and submitted staff recommendation to award the contract to the low bidder, Clements Brothers, Inc., in the amount of \$102,860.61. Council concur.

- CAG: 02-129, Oakesdale Ave SW Ph 1 Wetland Reconstruction, Ohno Const
City Clerk reported bid opening on 8/28/2002 for CAG-02-129, Oakesdale Ave. SW Phase 1 Wetland Reconstruction and Planting; six bids; engineer's estimate \$240,468.50; and submitted staff recommendation to award the contract to the low bidder, Ohno Construction, in the amount of \$171,699.67. Council concur.
- CAG: 02-133, Monster Rd SW/68th Ave S Guardrail Installation, Petersen Brothers
City Clerk reported bid opening on 8/28/2002 for CAG-02-133, Monster Rd. SW & 68th Ave. S. Guardrail Installation; two bids; engineer's estimate \$49,978.75; and submitted staff recommendation to award the contract to the low bidder, Petersen Brothers, in the amount of \$42,349.38. Council concur.
- Court Case: Robert Pope, CRT-02-010
Court Case (Summons and Complaint for Damages) filed in Snohomish Superior Court by Keith A. Kemper of Ellis, Li & McKinstry, PLLC, 601 Union St., Suite 4900, Seattle, 98101, on behalf of Robert Pope, alleging damages in an unspecified amount due to incidences stemming from the plaintiff being charged with child molestation in 1998. Refer to City Attorney and Insurance Services.
- Plat: Edens Garden, Dayton Ave NE (FP-02-063)
Development Services Division recommended approval, with conditions, of the Edens Garden Final Plat; 20 single-family lots on 3.41 acres located at Dayton Ave. NE and NE 20th St. (FP-02-063). Council concur. (See page 346 for resolution.)
- Plat: Sienna, Jericho Ave NE (FP-02-051)
Development Services Division recommended approval, with conditions, of the Sienna Final Plat; 62 single-family lots on 16.13 acres located in the vicinity of Jericho Ave. NE and NE 2nd St. (FP-02-051). Council concur. (See page 346 for resolution.)
- Human Resources: Grade Establishment, Crime Analyst, Domestic Violence Victim Advocate, CDBG Specialist
Human Resources & Risk Management Department recommended approval of the establishment of salary grades for the following positions: Crime Analyst, grade pn61; Domestic Violence Victim Advocate, grade pn60; and CDBG Specialist, grade a18. Refer to Finance Committee.
- CAG: 01-179, Airport Building Demolition, Wyndham Design
Transportation Systems Division submitted CAG-01-179, Airport Building Demolition; and requested approval of the project, release of retained amount of \$4,687 to Wyndham Design, Inc., contractor, if all required releases are obtained and commencement of 60-day lien period. Council concur.
- MOVED BY NELSON, SECONDED BY CORMAN, COUNCIL APPROVE THE CONSENT AGENDA AS AMENDED TO REMOVE ITEMS 6.h., 6.i., 6.j., 6.o., AND 6.p. FOR SEPARATE CONSIDERATION. CARRIED.**
- Separate Consideration**
Item 6.h.
CAG: 02-151, Higate Lift Station Elimination, Westwater Const Co
City Clerk reported bid opening on 9/03/2002 for CAG-02-151, Higate Lift Station Elimination; four bids; engineer's estimate \$325,822.27; and submitted staff recommendation to award the contract to the low bidder, Westwater Construction Company, in the amount of \$342,022.59.*
- Responding to Councilman Clawson's request for more information about the project, Planning/Building/Public Works Administrator Gregg Zimmerman explained that the Higate Lift Station will be eliminated by constructing 1500 linear feet of eight-inch sanitary sewer main at NE 20th St. and Jones Ave. NE. He reported that the lift station is aging, and the City tries to retire or replace aging lift stations to cut down on the needed maintenance. Mr. Zimmerman added that the installed sewer will be available to portions of the City that may not have ready access to the sewer.

Mayor Tanner noted that the lift station is used to lift the sewage to a certain level, and installation of the pipeline eliminates the need to lift the sewage.

Separate Consideration

Item 6.i.

CAG: 02-148, Highlands Park Irrigation, Mr Irrigation

City Clerk reported bid opening on 9/04/2002 for CAG-02-148, Highlands Park Irrigation; five bids; engineer's estimate \$65,000; and submitted staff recommendation to award the contract to the low bidder, Mr. Irrigation, in the amount of \$58,580.80.*

In response to Councilman Clawson's request for more information about the project, Community Services Administrator Jim Shepherd explained that the purpose of the project is to replace an old irrigation system at Highlands Park located at 800 Edmonds Ave. NE.

Separate Consideration

Item 6.j.

Court Case: Intraspect Group, CRT-02-009

Court Case filed in King County Small Claims Court by Intraspect Group, 12819 SE 38th St., Suite 65, Bellevue, 98006, alleging that the City of Renton owes for garbage service charges in the amount of \$1,644.80.*

Councilwoman Keolker-Wheeler commented that the City needs to move quickly on this item because of the proposed closure of the Renton District Court.

Separate Consideration

Items 6.o. & 6.p.

Human Resources:
Community Services Dept
Positions Reclassifications

Human Resources & Risk Management Department recommended approval to reorganize and adjust the salaries for the following job classifications within the Community Services Department: Facilities Director, grade m37 to m38, \$616; Parks Director, m37 to m38, \$616; Recreation Director, m37 to m38, \$616; Library Director, m37 to m38, \$616; and Human Services Manager, m26 to m28, \$962.50.*

Human Resources: Municipal
Court Judge Position
Reclassification to Grade e10

Human Resources & Risk Management Department requested approval to increase the salary of the Municipal Court Judge position and place the position at salary grade e10. Funds for the salary adjustment in the amount of \$1,424.50 for 2002 are available in the current budget.*

Councilwoman Keolker-Wheeler reported that the agenda bills were missing some attachments. Noting that the items are being referred to the Finance Committee, Mr. Tanner stated that staff would provide the attachments to Council.

***MOVED BY CLAWSON, SECONDED BY CORMAN, COUNCIL APPROVE CONSENT AGENDA ITEMS 6.h. AND 6.i., REFER CONSENT AGENDA ITEM 6.j. TO THE CITY ATTORNEY AND INSURANCE SERVICES, AND REFER CONSENT AGENDA ITEMS 6.o. AND 6.p. TO THE FINANCE COMMITTEE. CARRIED.**

CORRESPONDENCE

Citizen Comment: Various –
Kiwanis Park NE 9th St
Entrance, Park Patron
Problems

A letter was read from Dennis & Mer Lyn Fife, 912 Redmond Ave. NE, Renton, 98056; Wayne & Lillian Gores, 3735 NE 10th Lane, Renton, 98056; and Harold Buoy, 872 Redmond Ave. NE, Renton, 98056; who own property bordering the NE 9th St. entrance to Kiwanis Park and complain of illegal parking of vehicles and property damage. The property owners request that the City's Police and Parks Departments continue to monitor and maintain the area, including trimming the bushes and shrubbery which could provide cover for assailants.

Added

Citizen Comment: Rogers - St.
Anthony Catholic Church
Conditional Use Permit

A letter was read from Nancy Bainbridge Rogers, attorney with Cairncross & Hempelmann, P.S., 524 2nd Ave., Suite 500, Seattle, 98104, regarding the Conditional Use Permit for the St. Anthony Parish renovation and addition, asking that Council affirm the Hearing Examiner's decision approving the

Appeal, Wade Cross (CU-02-054)

project and deny Mr. Cross's appeal. MOVED BY KEOLKER-WHEELER, SECONDED BY PARKER, COUNCIL REFER THIS LETTER TO THE PLANNING & DEVELOPMENT COMMITTEE. CARRIED.

In response to Mayor Tanner's inquiry, Assistant City Attorney Zanetta Fontes explained that the letter is a brief in response to the appeal and not additional evidence.

OLD BUSINESS

Community Services: Farmers Market

Council President Nelson announced that the Farmers Market has concluded for the year, and she thanked citizens for attending and the vendors for participating. She also expressed her appreciation for the Council's support of the market and the assistance of City staff, saying that the market was very successful. Councilwoman Keolker-Wheeler praised Ms. Nelson for all of her work on the Farmers Market.

Legal: Dangerous Dog Regulations

Councilman Clawson stated that the committee report and related ordinance concerning the dangerous dog regulations will be presented at the next Council meeting.

Citizen Comment: Pier (American Kennel Club) – Dangerous Dog Regulations

Councilman Corman reported receipt of a letter from Stephanie Pier of The American Kennel Club, 5580 Centerview Dr., Raleigh, NC, 27606, regarding the proposed dangerous dog regulations ordinance, and requesting that the ordinance refrain from singling out specific breeds of dogs.

Councilwoman Briere stated that the proposed ordinance is not breed specific. Councilman Clawson pointed out that Renton already has a dangerous dog ordinance in place, and explained that the purpose of the proposed ordinance is to comply with a recent change in State law concerning the definition and procedures related to dangerous dogs.

MOVED BY CORMAN, SECONDED BY BRIERE, COUNCIL REFER THE AMERICAN KENNEL CLUB LETTER TO THE PUBLIC SAFETY COMMITTEE. CARRIED.

Planning & Development Committee

Planning: Residential Multi-Family Urban Zone, Density Bonus

Planning and Development Committee Chair Keolker-Wheeler presented a report regarding the density bonus in the Residential Multi-Family Urban (RM-U) zone, north of S. 2nd St. The Committee reviewed the issue paper entitled *Density Bonuses in the RM-U Zone* and the proposed amendments to Title IV (Development Regulations). The proposal allows a density bonus of up to 25 additional dwelling units per acre within the RM-U zone north of S. 2nd St. dependent upon compliance with certain additional design guidelines currently existing within City Code, RMC 4-3-100, as optional guidelines. The Committee recommended referring this issue to the City Attorney's office for preparation of an ordinance and setting of a public hearing on the draft ordinance for September 23, 2002. MOVED BY KEOLKER-WHEELER, SECONDED BY PARKER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Planning: Planning & Development Committee 2002 Referral List

Planning and Development Committee Chair Keolker-Wheeler presented a report regarding the Planning & Development Committee 2002 referral list. The Committee met on August 15, 2002, to review and take action on items pending in Committee.

1. Item #920: "Periodic review of residential policies and implementation" is changed to "Periodic review of land use policies and implementation issues" and retained as an ongoing item in Committee.
2. Item #1278: "Conditional use permits for churches and day care centers" is

referred to the annual Title IV docket.

3. Item #1282 "South Renton Neighborhood Sub-Area Plan" was adopted by the City Council, so it is removed from the active project list.
4. Item #1486 "Growth Management Act – King County 2002 Comprehensive Plan Amendments" was completed with a letter to King County Office of Policy Planning outlining City concerns with a number of the proposed amendments.
5. Item #1632 "Animal Keeping Standards" is referred to the annual Title IV docket.
6. Item #1644 "Title IV Development Regulation Revision Process" was completed with the adoption of Ordinance 4975 and is removed from the referral list.

MOVED BY KEOLKER-WHEELER, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Planning: Secure Community
Transition Facilities (for Level
III Sex Offenders)

MOVED BY KEOLKER-WHEELER, SECONDED BY PARKER, COUNCIL SET A PUBLIC HEARING ON SEPTEMBER 16, 2002, TO CONSIDER SECURE COMMUNITY TRANSITION FACILITIES. CARRIED.

Court Case: Sound Transit,
CRT-02-008

Councilman Parker congratulated City staff for their efforts in reaching a settlement with Sound Transit regarding its request for an easement from the City of Renton. (See page 341, Administrative Report, for additional information regarding this matter.)

Finance Committee
Finance: Vouchers

Finance Committee Chair Parker presented a report recommending approval of Claim Vouchers 207001 - 207499 and three wire transfers totaling \$2,295,216.20; and approval of Payroll Vouchers 39777 - 40104, one wire transfer and 567 direct deposits totaling \$1,793,369.72. MOVED BY PARKER, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Finance: Vouchers

Finance Committee Chair Parker presented a report recommending approval of Claim Vouchers 207500 - 207839 and one wire transfer totaling \$2,938,347.32; and approval of Payroll Vouchers 40105 - 40394, one wire transfer and 565 direct deposits totaling \$1,742,688.35. MOVED BY PARKER, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

**Transportation (Aviation)
Committee**

CAG: 02-118, Traffic
Management Center

Transportation (Aviation) Committee Vice Chair Corman presented a report regarding the bid results for the Traffic Management Center project. The Committee was briefed on the Traffic Management Center bid on September 5, 2002. After careful consideration, the Committee concurred in the recommendation of staff to take no action on the results of the original bidding of the project. Per the recommendation of the City Attorney, the project is being re-bid and the results of the second bidding will be placed on the Council Consent Agenda. MOVED BY CORMAN, SECONDED BY KEOLKER-WHEELER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

**ORDINANCES AND
RESOLUTIONS**

The following resolutions were presented for reading and adoption:

Resolution #3586

Plat: Edens Garden, Dayton Ave NE (FP-02-063)

A resolution was read approving the Edens Garden Final Plat consisting of approximately 3.41 acres located in the vicinity of Dayton Ave. NE and NE 20th St. (FP-02-063). MOVED BY CLAWSON, SECONDED BY CORMAN, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

Resolution #3587

Plat: Sienna, Jericho Ave NE (FP-02-051)

A resolution was read approving the Sienna Final Plat consisting of approximately 16.13 acres located in the vicinity of NE 2nd St. and Jericho Ave. NE (FP-02-051). MOVED BY CLAWSON, SECONDED BY NELSON, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

NEW BUSINESS

Planning: Countywide Planning Policies re Urban Separators

MOVED BY KEOLKER-WHEELER, SECONDED BY PARKER, COUNCIL REFER COUNTYWIDE PLANNING POLICIES ON URBAN SEPARATORS TO THE PLANNING & DEVELOPMENT COMMITTEE. CARRIED.

Development Services: A-Frame Sign Code Violation, Metropolitan Place Apts

Councilwoman Keolker-Wheeler requested investigation of the A-frame signs displayed by the Metropolitan Place Apartments, located in downtown Renton, for potential Sign Code violations.

Human Services: State Dept of Social & Health Services Closure of Renton Community Services Office, Post Office Closure

Councilwoman Keolker-Wheeler reported receipt of a letter from the State Department of Social and Health Services, N17-18, 400 Mercer St., Ste. 600, Seattle, 98109, announcing the closure of the Renton Community Services Office (CSO) in 2003, and transfer of the 98178 zip code service area back to the Rainier CSO.

The letter prompted her to inquiry if the post office located in downtown Renton will be closing. Stating that he has not been notified of any post office closures, Mayor Tanner pointed out that the Federal government is required to notify him of any plans to close postal service facilities.

King County: Renton District Court Closure

Expressing her concerns regarding the proposed closure of King County's Federal Way and Renton district courts and the impact of the closures on Renton citizens, Councilwoman Keolker-Wheeler questioned what King County's plans are for the Renton District Court building located on NE 2nd St. She also noted that the Renton District Court provides passport services, and she requested that the City of Renton consider providing that service, pointing out that it may produce revenue for the City. Mayor Tanner stated that he would investigate the matter but doubted that the City would receive much revenue from offering passport services.

Regarding another potential revenue opportunity for the City, Mayor Tanner reported that staff is pursuing an agreement with the Washington State Patrol for the filing of their tickets with the Renton Municipal Court, as they currently file their tickets with the Renton District Court.

Stating that King County district courts are backed up, deadlines are not being met, and court clerks are being laid off, Councilman Clawson stressed the critical nature of the situation. Mayor Tanner advised that a letter could be written to the King County Council expressing the City's concerns regarding the closures.

Agreeing that the impact of the King County district court closures on citizens is significant, Councilman Parker suggested that the Administration write a letter after careful review of the matter. Councilwoman Keolker-Wheeler

commented that King County needs to examine the entire court system, rather than trying to address their revenue problems by cutting costs piece by piece, and she recommended bringing that point to King County's attention. Councilman Corman stated his support for sending a letter to the King County Council after the Administration does more research, and pointed out that the more difficult it is to set a court date, the more plea-bargaining that occurs, and citizens are not in favor of that.

Annexation: Unincorporated Islands

Councilwoman Keolker-Wheeler stated that the Association of Washington Cities (AWC) is part of a coalition studying annexation reform efforts and is seeking information from cities regarding unincorporated islands (land totally surrounded by, but not part of the City). Noting that an unincorporated island exists in the Renton Highlands, she requested that staff share that information with AWC and keep track of their evaluation of the issue.

Finance: Master Licensing Service (for Businesses), WA Dept of Licensing

Councilwoman Keolker-Wheeler requested that the City evaluate the Master Licensing Service, a Washington Department of Licensing service which enables businesses to comply with both State and City licensing requirements in a single step.

EXECUTIVE SESSION

MOVED BY NELSON, SECONDED BY CORMAN, COUNCIL RECESS INTO EXECUTIVE SESSION FOR 17 MINUTES TO DISCUSS PROPERTY ACQUISITION. CARRIED. Time: 8:45 p.m.

The meeting was reconvened at 9:02 p.m.; roll was called; all Councilmembers present except for Clawson excused at the beginning of Executive Session due to a conflict, and Persson previously excused.

ADJOURNMENT

MOVED BY PARKER, SECONDED BY BRIERE, COUNCIL ADJOURN. CARRIED. Time: 9:03 p.m.

Bonnie I. Walton, City Clerk

Recorder: Michele Neumann
September 9, 2002